

Probate Status Hearing Re: Inventory and Appraisal

DOD: 9/25/2011			JULIO A. HINOJOSA was appointed executor without bond and with full IAEA on 6/18/12. Letters issued on 6/18/2012. Minute order dated 6/18/12 set this status hearing for the filing of the inventory and appraisal. Attorney Bagdasarian and Executor, Julio A. Hinojosa were both present at the hearing.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> 1. Need Inventory and Appraisal or current status report. - Inventory and appraisal filed on 11/1/12
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<input type="checkbox"/>	Citation	<input type="checkbox"/>		
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Reviewed by: KT				
Reviewed on: 10/30/12				
Updates:				
Recommendation:				
File 1 – Hinojosa				

Age: 46		<p>RONALD MILLER, Conservator of the Person and Estate, petitioned the court for an order under Probate Code § 2580(b)(5) to establish a Special Needs Trust (SNT) with Lisa Miller as the Beneficiary, to be funded with proceeds from death benefits from CalPERS following the death of her mother Evelyn C. Miller.</p> <p>On 8/22/12 the Court approved the Petition and set this status hearing for the filing of a bond in <u>a new case file</u> for the Special Needs Trust.</p> <p>Bond of \$35,932.45 was filed on 9/12/12 in this conservatorship case (see note #1).</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Bond was filed on 10/17/12 in case no. 12CEPR00861 Lisa Susan Miller Special Needs Trust.</p>
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Video Receipt			
CI Report			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 10/30/12	
		Updates:	
		Recommendation:	
		File 2 - Miller	

**Petition for Payment to Joanne Sanoian of Extraordinary Fees and Costs
Advanced**

DOD: 6/25/2009		JOANNE SANOIAN , former attorney for Kevin Johnson, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states her office represented Kevin Johnson as Administrator of the Estate from approximately March 29, 2010 to March 11, 2011.	<u>Minute Order 9-12-12:</u> Matter continued to 10-5-12
Cont. from 091212, 100512			
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner waives statutory fees for ordinary services rendered to the estate.	<u>Minute Order 10-5-12:</u> Matter continued to 11-2-12
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Petitioner is requesting fees for extraordinary services rendered to the estate in connection with an unlawful detainer action. The action was contested and resulted in a trial.	Opposition filed 10-4-12 by Administrator Kevin Johnson disputes \$3,206.25 of the extraordinary fees requested. Details and a chart are included discussing the disputed amounts.
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Petitioner requests fees totaling \$8,395.00 for total of 48.30 hours of attorney, paralegal and legal assistant time. Attorney time is billed at \$200 per hour and paralegal time is billed at \$125 per hour Itemization of time is attached to the petition.	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Petitioner further requests costs totaling \$1,260.00 for filing fees, process server, publication and probate referee.	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Petitioner requests the order for payment of fees and costs include a direction that said funds are to be either paid, a) directly from the escrow account now pending in this matter at Chicago Title, b) become a lien on the property at 408 W. Eden, Fresno and/or should be, c) withdrawn from that blocked account held in the name of Kevin Johns on behalf of the estate of Shirley Ann McCray.	
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
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<input type="checkbox"/>	FTB Notice		

Status Hearing Re: Filing of the Amended Account

DOD: 6-25-09	KEVIN JOHNSON , son, was appointed Administrator without bond with Limited IAEA authority and Letters issued on 5-20-10.	NEEDS/PROBLEMS/COMMENTS: Minute Order 10-5-12: Kevin Johnson advises the Court that his sister is not cooperating and there is no lender or money. Based on the history of this case and Kevin Johnson's inability to move forward in this matter, the Court removes him as administrator and appoints the Public Administrator.
	I&A filed 7-14-10 shows a total estate value of \$45,000.00 (real property only). The sole heirs of the estate are the Administrator, Kevin Johnson, and his sister, Phyllis Williams.	
Cont. from: 062112, 080912, 100512	On 10-5-12, the Court removed Mr. Johnson and appointed the Public Administrator. Letters issued on 10-19-12.	Prior to the conclusion of today's hearing Phyllis Williams appears and addresses the Court. Ms. Williams informs the Court that she has a document evidencing the approval of a loan. The Court continues the matter to 11/2/12. The appointment of the Public Administrator remains.
Aff.Sub.Wit.	Status Report filed 10-29-12 states: Deputy Public Administrator Noe Jimenez met with an Escrow Officer at Chicago Title on 10-10-12, where escrow had previously been opened. Although two minute orders note that one of the heirs could buy the house, no specific amount was set forth. Whoever opened the escrow advised Chicago Title that the following specific disbursements were to be paid from escrow:	
Verified	<ul style="list-style-type: none"> • Buyer (Daughter) to receive credit of ½ of the estate for \$20,000.00 • Joanne Sanoian attorney fees in the amount of \$9,800.00 (not approved by the Court, unclear if this was known or requested by Ms. Sanoian) • Kevin Johnson, Former Administrator, \$15,000.00 as his compensation 	1. <u>Need amended final account and/or petition for final distribution.</u>
Inventory	If these distributions had been made, the estate would then be insolvent, and the creditor would go without payment of \$1,958.59.	
PTC	Public Administrator advised the Escrow Officer to make no distributions, and there may be a change in the sales prices. Public Administrator requests instruction from the Court regarding the appropriate sales prices and also requests that the Court revise the previous order so that sale proceeds not otherwise required to be paid from escrow, such as outstanding taxes and mortgage, be payable to the Public Administrator instead of a blocked account.	Reviewed by: skc
Not.Cred.		Reviewed on: 10-30-12
Notice of Hrg		Updates:
Aff.Mail		Recommendation:
Aff.Pub.		File 3B - McCray
Sp.Ntc.		
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FTB Notice		

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

Age:			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> Order for Final Distribution signed on 10/11/12.	
DOD:				
Cont. from				
	Aff.Sub.Wit.			
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	Inventory			
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	Notice of Hrg			
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: KT
				Reviewed on: 10/30/12
		Updates:		
		Recommendation:		
		File 4 - Picard		

		<p>TIMOTHY E. MOORE, Beneficiary and Second Successor Trustee, filed a Petition to Compel Trustee to Account, for Attorney Fees, and for Removal of Trustee.</p> <p>JOANNA M. KEY, RICHARD A. ELSTON, AND VERN E. ELSTON, Step-siblings, filed a Petition to Determine Validity of Trust; Petition for Breach of Trust; and to Impose Constructive Trust; and Petition for Return of Property Pursuant to Probate Code §850.</p> <p>TERRENCE MOORE, Trustee, filed a Petition for Settlement of Account.</p> <p><u>Trial Minute Order 9-28-12:</u> Also present in the courtroom are Deborah Huston and Terrence Moore. Mr. Markeson advises the Court that the matter has been settled as to Timothy Moore and a settlement agreement has been signed. As to Terrence Moore, he has filed bankruptcy and any debt he has in the trust has been discharged. He further advises that they do not wish to proceed against Deborah Huston as it would not be productive. The matter as to Mr. Markeson's clients is dismissed. The Court indicates for the record that this litigated matter is concluded, but for the accounting. The Court further indicates that as a condition of the dismissal, all parties waive any further actions for fees, costs, or other matters attributed to this litigation. Mr. Roberts advises the Court that he will be filing an accounting as well as an objection as indicated. Set for 11/2/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Reviewed by: skc</p> <p>Reviewed on: 10-30-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Moore</p>
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Citation			
FTB Notice			

Atty Sanoian, Joanne, sole practitioner (for Executor Robin B. Sanchez)

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 6/25/2008		<p>ROBIN B. SANCHEZ aka ROBIN B. SMITH, daughter, was appointed Executor with Full IAEA authority without bond on 10/11/2011, and <i>Letters</i> issued on that date.</p> <p><i>Partial No. 1 Inventory and Appraisal</i> filed 11/23/2011 shows a partial estate value of \$379,000.00.</p> <p><i>Final Inventory and Appraisal</i> filed 1/13/2012 shows an additional estate value of \$40,000.00.</p> <p><i>Notice of Status Hearing</i> filed 9/14/2012 set this status hearing on 11/2/2012 for failure to file a first account or petition for final distribution. <i>Clerk's Certificate of Mailing</i> shows the notice was mailed on 9/14/2012 to Attorney Joanne Sanoian and Robin Sanchez.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account and/or petition for final distribution, or current status report pursuant to Local Rule 7.5(B).</p>
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 10/30/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Smith</p>	

Age: 94		<p>DIANE MOSOLF, Conservator, filed a Report of Sale and Petition Confirming Sale of Real Property that was heard on 10/01/12.</p> <p>Minute Order from 10/01/12 set this matter for status on 11/02/12 and states: There being no overbids in open court, the Court confirms the sale price.</p> <p>Per the Petition, proceeds of the sale are to be deposited into a blocked account at Wells Fargo Bank.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: An Order to Deposit Money into blocked account has been submitted by Petitioner.</p>
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<input type="checkbox"/>	FTB Notice		
			<p>Reviewed by: JF</p> <p>Reviewed on: 10/30/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Fratis</p>

Atty Salazar, Steven F., sole practitioner (for Co-Executors Steven Thomas, II, and Kristy Helm-Thomas)

Status Hearing Re: Filing of the Inventory and Appraisal (Set by Court)

DOD: 1/19/2012		<p>STEVEN THOMAS, II, and KRISTY HELM-THOMAS, children, were appointed Co-Executors with Full IAEA authority without bond on 3/14/2012.</p> <p>Letters issued on 3/21/2012.</p> <p>Minute Order dated 9/19/2012 in the related case of the <i>Steven R. Thomas Family Trust</i> (12CEPR00674) from the hearing on the <i>Petition for Construction of Trust, Appointment and Confirmation of Successor Trustees and Persons Entitled to Distribution from Trust</i> set this status hearing on 11/2/2012 for the filing of the Inventory and Appraisal in the estate.</p> <p>Final Inventory and Appraisal filed 10/19/2012 shows an estate value of \$135,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p>Final Inventory and Appraisal filed 10/19/2012.</p>
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 10/30/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Thomas</p>	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 12/11/11		<p>SUSIE FITZGERALD was appointed Executor with full IAEA authority and without bond on 5/3/12.</p> <p>Inventory and appraisal, partial #1 was filed on 6/6/12 - \$190,500.00</p> <p>Inventory and appraisal, partial #2 was filed on 7/11/12 - \$239,943.72</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Final inventory and appraisal filed on 10/9/12.</p>
Cont. from 090412, 092112			
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		<p>Reviewed by: KT</p> <p>Reviewed on: 10/30/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 - Fitzgerald</p>	

Status Hearing Re: Filing of the Inventory and Appraisal

Age:			NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 11-30-12</u> Per Attorney Mele's request, and per Court Examiner	
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				Reviewed on:
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		Recommendation:		
		File 10 - Rogers		

DOD: 04/16/12		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u> Inventory & Appraisal filed 07/24/12</p>
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		Reviewed by: JF
		Reviewed on: 10/30/12
		Updates:
		Recommendation:
		File 11 - Kesler

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Status Hearing Re: Filing of the Inventory and Appraisal

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				<u>OFF CALENDAR</u> I&A filed 9-17-12
				Reviewed by: skc
			Reviewed on: 10-30-12	
			Updates:	
			Recommendation:	
			File 13 - Williams	

Status Hearing Re: Filing of the Inventory and Appraisal

Age:			NEEDS/PROBLEMS/COMMENTS: <div style="text-align: center;"><u>OFF CALENDAR</u></div> I&A filed 9-26-12	
DOD:				
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				Reviewed by: skc Reviewed on: 10-30-12 Updates: Recommendation: File 14 - Merk

Status Hearing Re: Filing of the Inventory and Appraisal

Age:			NEEDS/PROBLEMS/COMMENTS:	
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				<p><u>OFF CALENDAR</u> I&A filed 10-23-12</p>
				Reviewed by: skc
		Reviewed on: 10-30-12		
		Updates:		
		Recommendation:		
		File 15 - Simmross		

16 Samuel R. Lopez (Estate)

Atty Skinner, Jennifer Hamilton

Atty Walters, Jennifer L.

Atty Mechill, Michael E.

Case No. 12CEPR00655

Status Hearing Re: Filing of the Bond

Age:			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Bond filed 10-19-12
DOD:			
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 10-30-12	
		Updates:	
		Recommendation:	
		File 16 - Lopez	

16

Status Hearing Re: Filing of Inventory and Appraisal

Age:			NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <ul style="list-style-type: none"> I&A filed 10-3-12 Petition for Final Distribution on Waiver of Accounting filed 10-11-12 is set for hearing on 11-13-12
DOD:			
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc Reviewed on: 10-30-12 Updates: Recommendation: File 17 - Nelson	